



City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3014589
Application Name: Seattle Children's Hospital
Address of Proposal: 4561 Sand Point Way NE

SUMMARY OF PROPOSAL

Land Use Application to allow a 580 ft. by 8 ft. pedestrian pathway in an environmentally critical area to facilitate a new trail connecting Sand Point Way NE to the Burke-Gilman Trail. Project includes trail improvements, safety railings, landscaping, and lighting. Addendum to Children's Hospital Major Institution Master Plan dated May 17, 2013 has been prepared.

One condition of the Seattle Children's Major Institution Master Plan (MIMP) Street Vacation Petition approval (Clerk File 309690) included providing a pathway connecting Burke-Gilman Trail to Sand Point Way NE at the Hartmann site as a public benefit. The purpose of this public benefit is to provide 24-hour pedestrian and bicycle public access from the Burke-Gilman Trail to Sand Point Way NE. The pathway will connect with the intersection at 40th Avenue NE and Sand Point Way NE, and include street amenities (plaza, street, and sidewalk improvements) for public access. Crime Prevention through Environmental Design (CPTED) strategies shall be a guideline for design for all of the public benefit elements. An Environmental Impact Statement Addendum has been prepared by the City of Seattle.¹

The following approval is required:

- **SEPA - Environmental Determination** pursuant to SMC 25.05

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☒ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction

¹ "Proposed Burke-Gilman Trail Connection", Addendum to the Final EIS for the Seattle Children's Hospital Major Institution Master Plan, Master Use Permit No. 3014589, May 17, 2013.



BURKE-GILMAN TRAIL CONNECTION PROPOSAL DETAIL

The Burke-Gilman Trail Connection project is located at 4580 Sand Point Way NE at the Hartmann property owned by Seattle Children's. The trail connection is required as one of the public benefit conditions for approval of the Seattle Children's MIMP Street Vacation Petition. The intent of the trail connection is to provide 24-hour pedestrian and bicycle public access from the Burke-Gilman Trail to Sand Point Way NE.

The trail connection would work cohesively with a new cycle track and signalized intersection that were installed at the intersection of Sand Point Way NE and NE 40th Avenue during Phase 1 of the Seattle Children's campus expansion project.

Burke-Gilman Trail Connection Design

The Proposal is the construction of an on-grade pathway from Sand Point NE to the Burke-Gilman trail including retaining walls, trail surfacing, safety railings, landscape improvements, lighting, and site furnishings. Figure 2, Proposed Burke-Gilman Trail Connection, illustrates the improvements included by the Proposal.

The Burke-Gilman Trail Connection would:

1. Provide an ADA-complaint (1:12 maximum slope) public connection to the new intersection on Sand Point Way.
2. Preserve the existing significant trees and landscape on site (Sequoia Grove, Big Leaf Maple and existing large trees with good form habit and health where feasible).
3. Improve the Environmentally Critical Area (a steep slope) on the site of the Proposal by providing site retaining walls and grading.
4. Remove invasive non-native species from the public property and Children's property.
5. Remove diseased trees and trees of declining value and replace them with appropriate native species in healthy condition.
6. Provide ongoing maintenance of the Hartmann site and Burke-Gilman Trail connection (on both Seattle Parks and Seattle Children's property) by Seattle Children's.
7. Use Green Stormwater Infrastructure (GSI) engineering methods to the maximum extent feasible in the design of new impervious surfaces and site development.



Source: Site Workshop

Burke-Gilman Trail Connection EIS Addendum
Seattle Children's Hospital

Figure 2
Proposed Burke-Gilman Trail Connection

Construction

It is anticipated that construction of the trail connection would take approximately four to five months. Site demolition, excavation and construction would begin in the third quarter of 2013, dependent on when approval is granted by the City. If approval were to be granted in August-September, construction could start immediately.

Parking

The Hartmann property has 75 existing parking spaces. The proposed plan would remove 31 spaces, leaving 44 on the site.

Trail Operations

Maintenance

Seattle Children's would maintain the Burke-Gilman Trail connection from Sand Point Way NE to the Burke-Gilman Trail, including the trail surfacing, safety railings, landscaping, lighting, and site furnishings.

Utilities

The site lighting would be serviced from the Hartmann Building.

The landscape would have an automatic irrigation system for plant establishment. The water would be tapped from the domestic water system that feeds the Hartmann building. The irrigation system would be designed with a low volume drip system and water saving control systems, including rain event automatic shut off and evapotranspiration monitoring systems to prevent overwatering.

Lighting

Trail lighting would be designed to maintain safety and security on the site while minimizing light trespass and reducing development impact on the nighttime environment of the neighborhood in accordance with SMC 23.45.570I. This would be accomplished by:

- Increasing perception of safety by designing a system with minimum foot-candle levels but high uniformity of luminance and high color rendering along the trail.
- Reducing glare by use of shielded full cut off luminaires and directing illumination away from adjacent properties.
- Eliminating use of any up-lighting.
- Using fixtures that are 12-foot post-top type metal halide luminaires with full cut-off reflectors and house side shields where appropriate.

Pathway Intersections with Burke-Gilman Trail and Sand Point Way NE

The entry of the trail connection at the Burke-Gilman Trail will have an approximately 470 square foot plaza space within the Burke-Gilman Trail right-of-way, and will include seating and wayfinding signage.

At the point where the pathway will connect with the sidewalk at Sand Point Way, there will be a varying width landing from seven to twelve feet long. The entry of the trail connection at Sand Point Way NE will have an approximately 200 square feet of plaza space that will include seating, wayfinding signage, and a neighborhood information kiosk. The plaza will be located on private

property owned by Seattle Children's. The public street right-of-way will provide a shared use zone for pedestrians and cyclists and will include dense plantings to prevent cyclists from entering the right of way.

Pathway and Retaining Walls

The trail connection will consist of a series of 1:12 maximum slope (ADA compliant) ramps with multiple landings to account for the vertical transition. The trail connection will be approximately 8 feet wide and 580 feet long, or approximately 4,460 square feet.

The maximum height of new retaining walls will be approximately eight feet tall. A majority of the walls will be constructed as cast-in-place concrete, scored and textured vertical finish retaining walls. Guard rails will be placed at locations where the trail slopes greater than 1:20 and where the vertical drop exceeds 30 inches. There will also be site walls created from natural rockery material where allowed by the geotechnical and civil engineer. The wall designs will be reviewed by Seattle Department of Planning and Development and the Seattle Parks and Recreation during permit review.

Landscape Concept

Proposed Landscaping

Landscaping for the Burke-Gilman Trail connection will be primarily Northwest native plantings consistent with the plantings being done along the Burke-Gilman Trail by dedicated community groups and the Seattle Parks. Native deciduous and evergreen tree species will be planted where appropriate. Attention will be paid to maintaining site lines for safety and security while providing a landscaped connection from the Burke-Gilman Trail to Sand Point Way NE. Efforts will be made to limit changes to the existing steeply sloped areas to protect the existing Sequoia Trees and maintain the existing vegetation by installing retaining walls to increase slope stability.

Hardscape / Lot Coverage and Open Space

Approximately 5000 square feet of existing impervious parking area will be removed or covered by the Proposal. There will be approximately 5,060 square feet of impervious surface created by the construction of the Proposal. Of that total, 2,030 square feet would be on Seattle Parks' right-of-way and 3,030 square feet would be on Seattle Children's Hartmann property.

Public Benefit

The Burke-Gilman Trail Connection is a public benefit for all people of Seattle who use the Burke-Gilman Trail. The connection will provide the safest access from the Burke-Gilman Trail across Sand Point way NE. This connection will enhance the connections between the Ravenna-Bryant and Laurelhurst neighborhoods.

BACKGROUND

The EIS Addendum for the proposed Burke-Gilman Trail Connection project provides additional site-specific information to add to and /or update information contained in the Final EIS, the August 2010 Addendum (Seattle DPD 2010), and the January 2011 Addendum for Seattle Children's MIMP (Seattle DPD 2011). For the purpose of this analysis, DPD used analysis prepared for the consideration of Alternative 7R – Expanded Boundary (Seattle DPD 2009) that includes information relating to the development of the Hartmann property. The approved MIMP does not include development of the

Hartmann property. The trail connection is a required public benefit imposed as a condition of vacating portions of two streets located on the former site of the Laurelon Terrace Condominiums.

Relationship of the Proposal to the Approved Major Institution Master Plan

In April 2010, the Seattle City Council adopted Seattle Children's MIMP (Ordinance #123263). As approved, the MIMP is intended to provide a long-range facility plan to guide Seattle Children's programmatic and capital decision-making processes for the next 20 years or more. The MIMP established the standards, general location and size of development that is authorized. The MIMP included four phases totaling 1,225,000 square feet of additional space.

The approved MIMP was based on Alternative 7R – Expanded Boundary (Revised Final EIS, 2009). Phase 1 of Alternative 7R – Expanded Boundary was identified in the MIMP as the demolition of the 136-unit Laurelon Terrace Condominiums, the construction of 592,000 square feet of a new L-shaped building containing both additional hospital beds and a new emergency department, and the addition of 300 surface parking spaces. In the Phase I Addendum, the Burke-Gilman Trail Connection was identified as part of Phase 2 in the Proposed Phasing Plan.

In conjunction with the demolition of the Laurelon Terrace Condominiums, the MIMP included a proposal to vacate a portion of 41st Avenue NE and a portion of NE 46th Street described as:

- 41st Avenue NE from the southeast margin of Sand Point Way NE to its boundary at NE 46th Street; and
- NE 46th Street from its boundary with 41st Avenue NE to the east margin of 40th Avenue NE.

The Street Vacations were considered by the City Council under a process separate from the MIMP and approved by the Council (Clerk File Number: 309690). The construction of the Burke-Gilman Trail Connection was among the public benefits to be provided by Seattle Children's as a condition of street vacation approval.

The Burke-Gilman Trail Connection is included in the Seattle Children's Hospital Transportation Management Plan (TMP). At several meetings in 2009, the Seattle Design Commission reviewed the street vacation petition and recommended the trail connection, in general, and provided specific design guidance that has been incorporated into various elements of the proposal. In considering the street vacation petition, the Seattle City Council Transportation Committee noted that "there are additional opportunities to add public benefits to this connection" in light of the petition (Councilman Rasmussen's letter to Transportation Committee, May 14, 2010).

Figure 1, Proposed Burke-Gilman Trail Connection Location, shows the location of the Burke-Gilman Trail Connection in relation to the Seattle Children's Hospital MIO boundary (based on Figure 24 Master Plan in the Compiled Master Plan dated May 12, 2010).

Street Vacation Detail

The Seattle Department of Planning and Development and the Seattle Design Commission found the package of identified public benefits, including the Burke-Gilman Trail Connection, to be "integral to the proposed expansion (i.e., the Seattle Children's MIMP) and a sufficient response to both the City's

major institution policies and street vacation policies” (Councilman Rasmussen’s letter to Transportation Committee, May 14, 2010).

On June 1, 2010, the Seattle City Council granted the approval of the petition of Seattle Children's Hospital for the vacation of a portion of 41st Avenue NE and a portion of NE 46th Street (Clerk File 309690). A condition of the street vacation approval is the provision by Children’s of a number of public benefits including:

- Burke-Gilman Trail / Sand Point Way NE Connection at Hartman (sic) Site: The purpose of this public benefit is to provide 24-hour pedestrian and bicycle public access from the Burke-Gilman Trail to Sand Point Way NE and across the proposed new Intersection at 40th Avenue NE and Sand Point Way NE. The trail connection is to be designed to provide a safe route for people to access the 40th and Sand Point Way NE intersection. Crime Prevention through Environmental Design (CPTED) strategies shall be a guideline for design for all of the public benefit elements (as stated in the street vacation approval “This connection would likely be constructed during the second phase of the Master Plan.” Children’s is instead proposing to construct the connection now with the completion of the first phase of the Master Plan).
- Street Amenities on Sand Point Way NE: The purpose of this public benefit is to provide plaza, street and sidewalk improvements for public access and the use of Sand Point Way NE along the former Laurelon Terrace (east side of Sand Point Way NE) and the Hartmann (west side of Sand Point Way NE) properties. These improvements would likely occur during the first two phases of development.
- Enhanced Public Transit / Seattle Children's Shuttle Centers on Sand Point Way NE: The purpose of the enhancements is to improve public access to Metro bus routes and Children's shuttle on both sides of Sand Point Way NE. This enhancement is also part of Children's Transportation Plan. These improvements would like occur during the first two phases of development.
- \$2 Million for Bicycle and Pedestrian Fund: The purpose of this is to allow SDOT to fund and develop unfunded priority projects in Northeast Seattle, particularly those that are within 1.5 miles of Children's main campus, that promote safe biking and walking for the general public. The goal is to have the money distributed as early as possible in development process.
- Street Amenities on 40th Avenue NE: The purpose is to provide plaza, street and sidewalk improvements for public access and use of 40th Avenue NE along the former Laurelon Terrace site from NE 45th Street to Sand Point Way NE that are less intensive than the plazas on Sand Point Way NE and instead serve as a transition to the residential development on the west side of 40th Avenue NE. These improvements would occur within the first phase of development.
- Pocket Park at Corner of 40th Avenue NE/NE 45th Street and NE 45th Street Edge: The purpose of this public benefit is to provide a public area of respite and a focal point at this transition area between the Laurelhurst neighborhood on the south and Seattle Children's future development. This improvement would occur within the first phase of development.

PUBLIC COMMENT

Design Development and Public Engagement

The Addendum was submitted for administrative review only.

Public comment was received and considered throughout the design process and recommendations were incorporated into the final design submitted in the MUP Application No. 3014589.

Consistent with WAC 197-11-625 (5), "*Agencies are encouraged to circulate addenda to interested persons. Unless otherwise provided in these rules, however, agencies are not required to circulate an addendum,*" the addendum was circulated among those who participated in the design process. The public input into the design of the trail connection is summarized below.

For the purpose of developing the plan for the trail connection, in addition to the ongoing meetings of the Standing Advisory Committee (SAC), Children's has reached out to and sought input from individuals and groups who have interest in bicycling, the Burke-Gilman Trail, parks, and other natural areas.

Children's submits an annual report to DPD relative to activity associated with implementation of their MIMP. Children's has an extensive Enhanced TMP, which continues to meet City requirements and has received awards for innovation and results. The annual results on the TMP achievements are included in their annual MIMP report.

The idea of a connection between Children's and the Burke-Gilman Trail arose during the Major Institution Citizens' Advisory Committee (CAC) process that extended from summer 2007 until February 2009. Members of the CAC suggested the idea of making this kind of connection between the Burke-Gilman Trail and Sand Point Way and they added it to their recommendations in the Final Report they submitted to the City Council on February 3, 2009. The CAC proposal included the requirement that the grove of Sequoia trees in the NW corner of the Hartmann property be retained.

This connection to the Burke-Gilman Trail was a popular idea with the CAC as well as many NE Seattle residents and organizations who commented on Children's proposed Master Plan. In the Final Plan adopted by the City Council in April 2010, Children's agreed not to extend its campus boundaries to the Hartmann property. However, the City Council's approval of the Laurelon Terrace street vacations in June 2010 required that Children's complete the "proposed pedestrian/bicycle trail connection from Sand Point Way NE to the Burke-Gilman Trail." The SAC, formed after the MIMP was adopted, also recommended that this connection to the Burke-Gilman Trail not wait, and that it be constructed as soon as Children's Phase 1 hospital expansion project was completed. Children's moved forward with this schedule.

The location of this trail connection is proposed within the setback and along the northern and western boundaries of Seattle Children's Hartmann property with a slope that would allow pedestrian, bicycle, and wheelchair access between Sand Point Way NE and the Burke-Gilman Trail. The trail connection's concept is also a result of input from a Seattle City Council Transportation Committee public meeting and Seattle Design Commission public meetings.

The design of the trail connection has been subjected to extensive public review and comment. The City Council required that the trail connection be reviewed by the City's Design Commission. In a series of three public meetings, the Design Commission reviewed the proposed design, and recommended approval of a general design for the connection in its meeting of April 15, 2010. Children's continued to refine this design through public open houses held at Gould Hall at the University of Washington on December 15, 2012, and February 2, 2013. There was an onsite meeting held January 25, 2013, where community members reviewed sketches and observed the existing conditions of the proposed trail connection site. A final presentation of the Proposal was held before the SAC on March 19, 2013. The Seattle Children's team summarized the planning process and presented the plan as it would be submitted to the City of Seattle. The presentation is in Appendix A of the EIS Addendum - Standing Advisory Committee Meeting, March 19, 2013.

Public Comments

The following is a summary of public comments that have been received by DPD following the applicant's submittal of the MUP Application and DPD's issuance of the FEIS Addendum for the Burke-Gilman Trail Connection. The original comment letters and e-mails are on file with DPD in MUP File 3014589.

Comment 1: Alternative trail alignments were not included in the Addendum.

Response 1: The MUP and SEPA Addendum were drafted pursuant to the City street vacation decision that specified a trail connection at the Hartmann property location. The project proponent involved the SAC and other interested parties in the development in the design of the trail. Four alternative designs, all located within the boundaries of the Hartmann property, were considered before selecting the final design. Other alternatives that were considered in the design stages, but rejected, included variations of a partially elevated trail and a straighter trail without removal of parking surface. The final design was determined to have the least impact on the Sequoia grove and would provide additional protection to their root system, improve an environmentally critical area by eliminating steep slope conditions adjacent to the trail, as well as provide the greatest benefit to connectivity and long-term viability of the trail.

Trail connections on property outside of Seattle Children's Hospital control were not considered. One other condition of the street vacation was a \$2 million contribution to the (Fund), which could be used to create or improve trail connections beyond Seattle Children's Hospital properties.

Comment 2: The approved MIMP does not include the Hartmann property. The creation of the trail connection revises the MIMP to include the Hartmann property.

Response 2: The trail connection is linked to the Children's MIMP in two ways:

1. The Hartmann Property was included in the SEPA analysis for alternative 7R – Expanded Campus. The impacts analyzed for that alternative are relevant to the trail connection and expanded upon based on the trail connection location at the Hartmann location. Several alternatives for the MIMP were considered, each alternative underwent thorough analysis, 7R – Expanded Campus was not the alternative chosen as a result of the overall MIMP/MIO consideration, yet the SEPA analysis for that alternative remains valid. The addendum provides more detail.

2. The approved MIMP involved the vacation of streets within the approved MIO boundaries. The street vacation decision specified six on-site and off-site public benefit elements as conditions of the street vacation approval. The trail connection is not an expansion of the MIO, but is a *public benefit*. The trail connection was among those six conditions.

Excerpt from Clerk File # 309690:

The Petitioner shall develop and maintain the public benefit elements as defined by the City Council. A Property Use and Development Agreement (PUDA) or other binding mechanism shall be required to ensure that the public benefit elements remain open and accessible to the public and to outline future maintenance obligations of the improvements.

Accountability for public benefit elements associated with later phases of development must also be outlined in the PUDA. The final design of the public benefit elements shall require the review and approval of SDOT and SDOT may request additional review by the Design Commission, if necessary. The public benefit requirement includes the following features as well as the corresponding proposed development standards:

** Burke-Gilman Trail/Sand Point Way NE connection at Hartman Site: The purpose of this public benefit is to provide 24 hour pedestrian and bicycle public access from the Burke-Gilman Trail to Sand Point Way NE and across the proposed new Intersection at 40th Avenue NE and Sand Point Way NE. The trail connection is to be designed to provide a safe route for people to access the 40th and Sand Pont Way NE intersection. Crime Prevention through Environmental Design (CPTED) strategies shall be a guideline for design for all of the public benefit elements. This connection would likely be constructed during the second phase of the Master Plan.*

Street vacation decisions are City Council actions as provided by State statute. There is no right under the zoning code or elsewhere to vacate or to develop public right-of-way. In order to do so, a discretionary legislative approval must be obtained from the City Council and, under law, the Council may not vacate right-of-way unless it determines that to do so is in the public interest. Part of that determination is to insure that potential development and use of the vacated right-of-way would be in the public interest. This determination may be guided by established land use policies and standards as called for by the street vacation policies, but the Council is not bound by land use policies and codes in making street vacation decisions and may condition or deny vacations as necessary to protect the public interest.

The Street Vacation process is provided for in State Law (RCW 35.79) and the Seattle Municipal Code (SMC 15.62). The City's Street Vacation policies are contained in [Clerk File 310078](#).

Moreover, since the trail connection is a public benefit, there is no “taking” of public land. The existing portion of the Burke-Gilman trail will be supplemented by the trail connection.

Comment 3: The proposed trail connection disrupts vegetated park land.

Response 3: Seattle Parks General Classification of Burke-Gilman Trail is “Boulevard” (Seattle Parks Department Policy and Procedure Number 060-P 5.11.1, Park Classification System, December 1, 2009):

Boulevards, green streets and trails are linear parks that typically serve as an aesthetically-pleasing transportation corridor. A boulevard is legally designated in SMC 15.02.046, defined as an extension or expansion of a dedicated street which continues to serve as a right-of-way in addition to being park land. Many of Seattle’s boulevards are part of the Olmsted plan. Boulevards and green streets often provide safe pedestrian routes as well as recreation opportunities.

According to Seattle Parks and Recreation, “The Burke-Gilman Trail is a popular recreational trail for walkers, runners, cyclists, skaters and commuters. The trail is jointly maintained by Seattle Department of Transportation and Seattle Parks and Recreation.”

According to SDOT: “The Burke-Gilman Trail is an outstanding success and has been beneficial to the neighborhoods which it passes through. The trail has become a major transportation corridor that serves thousands of commuter and recreational cyclists. It demonstrates that when the proper facilities are provided many people will choose healthy, pollution-free, non-motorized modes of travel.”

Burke-Gilman Trail Vegetation Management Guidelines further describe the trail:

The Burke-Gilman Trail is a 12.5-mile urban biking and hiking trail used by the citizens of Seattle, King County, and surrounding regions. Its uses range from casual walking to recreational biking and jogging, roller-blading, hiking, and bird watching. The trail also serves as an arterial route for many to their places of employment, education, and everyday activities.

Vegetation is an integral component of the trail. Whether it is the addition of aesthetic value, buffering from adjacent roads and light industry, habitat provided for wildlife, or the simple respite it provides from its urban surroundings, this narrow strip of vegetation is an important addition to the landscape of Seattle.

The proposed trail connection includes a landscape plan that was developed following a tree survey and consultation with Seattle Parks, SDOT, and Seattle Children’s consultants. Existing shrubs and groundcovers on site are primarily non-native species including blackberry, English ivy, and laurel mixed with some native species. This project will remove the understory vegetation within the limits of grading and adjacent non-native invasive plants as necessary. New planting areas will be planted with native trees shrubs and groundcovers and will be automatically irrigated with low volume irrigation system to establishment. New planting areas will be graded to reduce and or eliminate the ECA steep slope designations from the site. The ongoing maintenance of the new landscape areas and trail connection will be by Seattle Children’s. Overall this project will improve the ECA slope and native landscape adjacent to the Burke Gilman trail.

ANALYSIS – STATE ENVIRONMENTAL POLICY ACT (SEPA)

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

This analysis relies on the Final Environmental Impact Statement (EIS) for the Seattle Children's Hospital Major Institution Master Plan, published November 10, 2008, the Revised Final EIS issued in May, 2009 limited to land use and housing, the Addendum to the Final EIS for the Seattle Children's Hospital Major Institution Master Plan issued January 6, 2011, as well as comments received from the advisory committees. This decision also makes reference to and incorporates the project plans submitted with the project application and revised thereafter. The information in the Addendum, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this decision and conditioning.

The Seattle SEPA Ordinance provides authority to require mitigation of adverse impacts resulting from a proposed project (SMC 25.05.655 and 25.05.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may be imposed to the extent that a given impact is attributable to the proposal, and to the extent that the mitigation is reasonable and capable of being accomplished. Additionally, mitigation may be required only when based on policies, plans and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675 inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, and SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA would not be necessary.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: *"where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* (subject to some limitations). Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. The Addendum provides additional or updated information to the MIMP FEIS regarding the environmental impacts of the proposed trail connection for geology, air, water, noise, land use, aesthetics, light and glare, transportation, parking, public services and utilities, and plants.

Short-term Construction Impacts

The following temporary construction-related activities on this site could result in the following adverse impacts: dust and storm water runoff, soil erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, disruption of adjacent vehicular and pedestrian traffic, and increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope.

Geology

Due to its steepness, a portion of this slope is designated as an Environmentally Critical Area by the Seattle Department of Planning and Development. The construction of a trail connection at the Hartmann property would not require any vertical cuts into the slope.

The new drainage improvements would prevent soil erosion on the steep slopes from surface runoff. When complete, the project would provide pavement or planting over all disturbed soils for final ground cover. All work around the steep sloping areas would be completed under geotechnical supervision.

A soils report has been prepared by a qualified geotechnical engineer or geologist licensed by the State of Washington and submitted to the City to demonstrate that it is safe to construct in that area without causing landslides.

All construction on the Hartmann property will comply with the requirements of SMC 25.09 Regulations for Environmentally Critical Areas.

All excavation, drilling, shoring, and foundation support will be performed in accordance with recommendations from the geotechnical and structural engineers based on site-specific exploration of subsurface soil and groundwater conditions.

Impacts are anticipated to be substantially less than those disclosed in the EIS. There is no indication of unusual short term adverse impacts. There would be no impact on geology. Current codes are adequate to provide mitigation and pursuant to the Overview Policy (SMC Section 25.05.665), Earth Policy (SMC Section 25.05.675D). Therefore, no further mitigation is warranted.

Air Quality

Approximately 890 total cubic yards of soil would be excavated and removed from the site. Emissions during construction would be considered minor short-term temporary impacts. Operation of the trail connection would not create significant greenhouse gas emissions. The proposed trail connection is for non-motorized transportation only with exception for any maintenance or public safety vehicles that may occasionally have access to the proposed trail connection.

Construction contractor(s) would be required to comply with PSCAA's Regulation I, Section 9.15, which requires reasonable precautions to avoid dust emissions.

There is no indication of unusual short term adverse impacts. Current codes are adequate to provide mitigation and pursuant to the Overview Policy (SMC Section 25.05.665), Air Quality Policy (SMC Section 25.05.675A). The City Council included conditions in the MIMP approval on air quality that are expected to minimize any additional impacts. Those conditions will also apply to the construction of the trail connection. Therefore, no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Noise

Implementing the Proposal would result in construction-related noise similar to those described in the Draft and Final EISs, but because of the limited scope of the Proposal, the impacts (duration and intensity) of construction activity and noise would be much lower. The City Council included conditions in the MIMP approval on noise that are expected to minimize any additional impacts. Those conditions will also apply to the construction of the trail connection.

Water - Groundwater

Groundwater is not anticipated to be encountered during this project based on observation of projects on adjacent parcels and new geotechnical exploration on the Hartmann property. The new drainage improvements would prevent surface runoff from eroding the steep slopes and direct runoff away from pedestrian surfaces. There would be no impact on groundwater. Therefore, no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Water – Stormwater

Drainage would be installed for the trail connection per City of Seattle requirements. Drainage would include shallow swales parallel to the trail connection with catch basins located strategically for surface runoff collection. The new retaining walls would have a vertical wall drainage system abutting the back-side consisting of 18-inch minimum thickness clean crushed rock layer with a perforated pipe to prevent hydrostatic pressure behind the walls.

All runoff would be conveyed in underground storm lines which would utilize the existing site outfall in Sand Point Way NE. The downstream storm system in Sand Point Way is a dedicated storm system with unrestricted discharge to Lake Washington. As a result the project would be exempt from flow control requirements per City of Seattle code. The trail connection would be for pedestrian and bicycle traffic and would not add any pollution generating impervious surface; as such, no water quality measures would be required.

The existing parking area would be utilized for contractor laydown to limit excessive vehicle traffic in unpaved areas. Silt fence would be set up on the downstream side of the disturbed areas for containment of loose material and filtration of surface runoff. All construction runoff would be collected and discharged to the sewer to prevent sedimentation in the downstream storm system. When complete the project would provide pavement or planting over all disturbed soils for final ground cover. All work around the steep slope areas would be completed under geotechnical supervision.

To minimize the possibility of tracking soil from the site, the wheels and undercarriage of trucks and other vehicles leaving the site would be washed and the sediment-laden wash water would be controlled using erosion control methods prescribed as City of Seattle and King County best management practices for construction projects. Such practices include the use of sediment traps, check dams, stabilized entrances to the construction site, erosion control fabric fences and barriers, and other strategies to control and contain sediment.

Children's would comply with all applicable requirements related to surface water runoff control and water quality. A drainage control plan would be prepared to City requirements.

Land Use - Environmentally Critical Area

The City of Seattle designates environmentally critical areas where existing conditions call for specification of potential hazards or protections of critical areas. A portion of the area between the Burke-Gilman Trail and the Hartmann property parking lot has been identified as a steep slope. This designation refers to the potential instability of soils that may be subject to slide conditions if overburdened by construction and other activities.

The City of Seattle Environmentally Critical Areas Ordinance (SMC Chapter 25.09) provides regulations to prevent projects from having adverse impacts on sensitive environmental areas. The only environmentally critical area (ECA) on the proposed project is a steep slope (as defined by SMC 25.09.180).

The project proponent has submitted an application an ECA steep slope exemption. The Proposal will qualify for the ECA exemption based on general geotechnical feasibility and findings listed below:

1. Development is located on steep slope areas that have been created through previous legal grading activities, including rockeries or retaining walls resulting from rights of way improvements.
2. Location of the trail connection and the two retaining walls (upper and lower) through the ECA zone stabilizes the slope; no adverse impact on the steep slope area will result.
3. Re-grading, inclusion of two internally stable retaining walls, and the lengthening of the overall slope (i.e., extending it into a portion of the Hartmann property parking lot) eliminates much of the ECA zones on the site.

No land use impacts are anticipated. Therefore, no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Aesthetics, Light and Glare

There may be short-term aesthetic impacts from construction lighting. These impacts are not considered significant because they are temporary and/or minor in scope. Therefore, no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Transportation and Parking

It is anticipated that the project would result in a maximum of 31 truck trips at an average of 6 to 10 per day. If all of the material needed to be transported offsite and all new material needed to be imported, construction traffic could occur for up to 2-3 weeks. These impacts are not considered significant because they are temporary and/or minor in scope. Therefore, no further conditioning or mitigation is warranted pursuant to specific environmental policies or the SEPA Overview Policy (SMC 25.05.665).

Plants

Plant and wildlife habitat would be improved through new landscaping. The proposed path alignment minimizes damage to existing mature trees. There will be no impact on plants. Therefore, no conditioning or mitigation is warranted.

Long-Term Operation Impacts

The purpose of this public benefit is to provide 24-hour pedestrian and bicycle public access from the Burke-Gilman Trail to Sand Point Way NE and across the proposed new intersection at 40th Avenue NE and Sand Point Way NE. The trail connection is to be designed to provide a safe route for people to access the NE 40th Avenue and Sand Point Way NE intersection.

Land Use

The Proposal would not negatively affect the use of the Hartmann or Seattle Parks land, but would enhance the use of the Seattle Parks' land providing a pedestrian and bicycle connection to the Burke-Gilman Trail. Creation of the trail connection supports the Burke-Gilman Trail's use/classification as a boulevard park (Seattle Parks Policy and Procedure Number 060-P 5.11.1). It is anticipated that an easement or agreement between Children's and Seattle Parks would be required to construct and operate the trail connection.

Aesthetics/Light and Glare

Trail connection lighting would be designed to maintain safety and security on the site while minimizing light on adjacent properties and reducing development impact on the nighttime environment of the neighborhood in accordance with SMC 23.45.570I.

Transportation and Parking

The proposal removes 31 spaces from the Hartmann property. The FEIS, and addenda previous to the current one, identified 740 offsite spaces that were available to and used by Seattle Children's at the time of the FEIS, with 80 of the offsite spaces located at Hartmann. Currently, the Hartmann property has only 75 spaces. The Proposal would reduce the number of spaces at Hartmann from 75 spaces to 44 spaces. Adequate on and offsite parking would remain.

Summary

In summary, the anticipated impacts from the proposed trail connection would be similar to the anticipated impacts disclosed in the Final EIS. Seattle City Council Ordinance No. 123263, adopted April 5, 2010, and included in Appendix of the Compiled Final Master Plan, imposed a number of conditions as a part of its approval of Children's Major Institution Master Plan. Those conditions remain.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation for short and/or long term impacts. Applicable codes may include the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality.

Construction of the trail connection would be performed under a separate MUP from other MIMP projects. In order to prevent or minimize the identified impacts during construction, SEPA conditions are included below.

DECISION – SEPA

Based on the impacts disclosed in the Addendum on the Burke-Gilman Trail Connection, the application is **APPROVED, with conditions** as follows.

CONDITIONS - SEPA

During Grading and Construction

Transportation

1. Construction-related truck trips shall not occur during the time periods of 6:00 – 9:00 am and 4:00 am – 7:00 pm.
2. Construction workers will be required to park off-site at a designated temporary parking lot. A private bus/shuttle service will be used to transport workers to the project site.
3. Workers will be encouraged to carpool or use alternative modes.
4. Flaggers will be used at the construction site entrances along Sand Point Way NE.
5. Pedestrian sidewalks along Sand Point Way NE and on the Burke-Gilman Trail will remain open as much as possible. Safety signage and flaggers will be used to assist the public during sidewalk closures to complete the necessary non-motorized enhancements along the Sand Point Way NE frontage and Burke-Gilman Trail.

For Life of Project

Land Use

6. An easement or agreement between Children's and Seattle Parks would be required to construct and operate the trail connection.

Signature: _____ (signature on file) Date: September 16, 2013
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development
Land Use Services

CV:drm

I/Vasquez/3014589/Decision/3014589Decision09112013.docx